

PTO-1390 TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY DOCKET NUMBER 7393/84401
		US APPLICATION NO. (if known, see 37 CFR 1.51) US Appl. No.: Not Yet Assigned 10/550555
INTERNATIONAL APPL. NO.: PCT/EP04/003064	INTERNATIONAL FILING DATE International Filing Date: 23 March 2004	PRIORITY DATE CLAIMED 24 March 2003
TITLE OF INVENTION COMESTIBLES CONTAINING ISOMALTULOSE AND TREHALOSE FOR SUSTAINED CARBOHYDRATE ENERGY RELEASE AND REDUCED GLYCEMIC/INSULINEMIC RESPONSES, AND FOR PRESERVING OSMOLALITY		
•APPLICANT(S) FOR DO/EO/US Fredericus Johannes Petrus Henricus BROUNS, Jacques Georges Denis Cénéré SIMON, Didier Charles Robert BONNET, Jozef Guido Rosa VANHEMELRIJCK		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. Please do not delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11. to 20. below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 		

13. ☒ A preliminary amendment TO BE ENTERED BEFORE CALCULATING FEES DUE.

14. ☒ An Application Data Sheet under 37 CFR 1.76.

JC20 Rec'd PCT/PTO 23 SEP 2005

15. ☐ A substitute specification.

16. ☐ A power of attorney and/or change of address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.

18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. ☒ Other items or information:

PCT Request (PCT/RO/101)

International Search Report (PCT/ISA/210) with PTO/SB/08, 17 references listed (14 references attached)

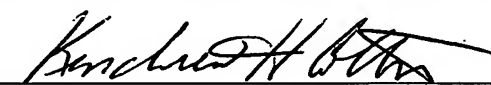
Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration (PCT/ISA/220)

PCT Written Opinion of the International Searching Authority (PCT Rule 43 bis. 1) (PCT/IPEA/237)

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.
PCT/JP04/003064

ATTORNEY DOCKET NUMBER
7393/84401

21. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee \$300.00 <input checked="" type="checkbox"/> b) Examination fee \$200.00 <input checked="" type="checkbox"/> c) International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400.00 TOTAL OF ABOVE CALCULATIONS =						Applicant use	Office use only	
						\$	300.00	
						\$	200.00	
						\$	400.00	
						\$	900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.								
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof		RATE				
21 - 100	0 / 50 =	0	x	\$250.00	0.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					0.00			
CLAIMS	NUMBER FILED		NUMBER EXTRA		RATE			
Total claims	24	- 20 =	4	x	\$50.00	\$ 200.00		
Independent Claims	6	- 3 =	3	x	\$200.00	\$ 600.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)					\$360.00	\$0.00		
TOTAL OF ABOVE CALCULATIONS =					\$ 1,700.00			
Applicant(s) assert entitlement to Small Entity Status (37 CFR 1.27), thus reducing the filing fee by half to:					0.00			
SUBTOTAL =					\$ 1,700.00			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					0.00			
TOTAL NATIONAL FEE =					\$ 1,700.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.					0.00			
TOTAL FEES ENCLOSED =					\$ 1,700.00			
AMOUNT TO BE:						\$		
					Charged	\$		
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 06-1135, regarding our Order No. 7393/84401 , in the amount of \$ <u>1,700</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1135 regarding Order No. 7393/84401 . A duplicate copy of this sheet is enclosed. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: CUSTOMER No. 42798 <div style="display: flex; justify-content: space-between;"> <div> FITCH, EVEN, TABIN & FLANNERY 1801 K Street, NW, Suite 401L Washington, DC 2006-1201 Telephone: (202) 419-7000 Facsimile: (202) 419-7007 </div> <div style="text-align: right;">  SIGNATURE NAME: Kendrew H. Colton REGISTRATION NUMBER: 30,368 Date: Herewith, September 23, 2005 </div> </div>								

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re BROUNS et al.

New 371 Application

Filed: Herewith, September 23, 2005

Attorney Docket No.: 7393/84401

Confirmation No.: Not Yet Assigned

Customer No.: 42798

Title: COMESTIBLES CONTAINING ISOMALTULOSE AND TREHALOSE FOR
SUSTAINED CARBOHYDRATE ENERGY RELEASE AND REDUCED
GLYCEMIC/INSULINEMIC RESPONSES, AND FOR PRESERVING
OSMOLALITY

**GENERAL AUTHORIZATION FOR PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)(3)**

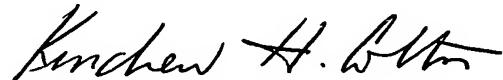
MAIL STOP PCT
Commissioner for Patents
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22304

Sir:

Applicant(s) hereby request under 37 C.F.R. §1.136(a)(3) by this general authorization that any concurrent or future reply submitted by Applicant(s) to the United States Patent and Trademark Office for the above-identified patent application requiring a petition for an extension of time under §1.136(a) for its timely submission be treated as incorporating therein a petition for an extension of time for the appropriate length of time.

If Applicant(s) do not timely pay for any extension fee(s) pursuant to 37 C.F.R. §1.136(a) which may become due for this application under 37 C.F.R. §1.17 by check, the Commissioner is hereby authorized to charge such fee(s), and any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135.

Date: September 23, 2005



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